

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FINANCIAL GUARANTY INSURANCE
COMPANY,

Plaintiff,

-against-

THE PUTNAM ADVISORY COMPANY, LLC,

Defendant.

No. 12-cv-7372 (RWS)

**ECF CASE
Electronically Filed**

Oral Argument Requested

**NOTICE OF DEFENDANT PUTNAM ADVISORY COMPANY, LLC'S CROSS-
MOTION TO COMPEL THE PRODUCTION OF DOCUMENTS**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law in Opposition to Plaintiff's Motion to Compel and in Support of Its Motion to Compel Plaintiff to Produce Documents in Response to Defendant's First Request For Production of Documents, dated December 23, 2015, Defendant Putnam Advisory Company, LLC, by its undersigned attorneys, will move this Court, before the Honorable Robert W. Sweet, United States District Judge, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, on Thursday, January 19, 2017 at 12:00 p.m., or such other date and time that the Court may hereafter determine, for an order, pursuant to Rules 26 and 37 of the Federal Rules of Civil Procedure and Local Civil Rule 37.1, compelling Plaintiff to produce documents responsive to Defendant's First Request for Production of Documents, and awarding such further relief as this Court may deem just and proper.

Pursuant to Federal Rule of Civil Procedure 6(c) and Local Civil Rule 6.1, any opposing affidavits, answering memoranda of law, or other response shall be served no later than

December 30, 2016, and any reply to any such opposition must be served no later than January 3, 2017.

CERTIFICATION

Pursuant to Federal Rule of Civil Procedure 37(a)(1), counsel for Defendant met and conferred with counsel for Plaintiff in a good-faith effort to resolve the discovery matters that are the subject of this motion.

Dated: New York, New York
December 23, 2016

MILBANK, TWEED, HADLEY & McCLOY LLP

By: /s/ Thomas A. Arena
Thomas A. Arena
Sean M. Murphy
Robert C. Hora
28 Liberty Street
New York, New York 10005
(212) 530-5000

*Attorneys for Defendant
Putnam Advisory Company LLC*

To: QUINN EMANUEL URQUHART & SULLIVAN LLP
Peter E. Calamari
Sean P. Baldwin
Paul P. Hughes
51 Madison Avenue, 22nd Floor
New York, NY 10010
(212) 849-7000

*Attorneys for Plaintiff
Financial Guaranty Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record have been served with the foregoing Notice Of Defendant Putnam Advisory Group, LLC's Cross-Motion To Compel the Production Of Documents via electronic mail on this 23rd day of December, 2016.

/s/ Christopher deLaubenfels
Christopher deLaubenfels